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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

REFAI, RAMSEY

ART UNIT PAPER NUMBER

2154

DATE MAILED: 04/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/858,355

Applicant(s)

NDILI ET AL.

Examiner

Ramsey Refai

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Responsive to Amendment received December 10, 2004.
2. Claims 1-12 remain pending examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Hunter (U.S. Patent Publication No. US 2001/0047426).

5. As per claim 1, Hunter teaches a method for having a content engine interact with a mobile device, the method comprising:

having the content engine receive a wireless communication from the mobile device that includes a card representing a URL and an identifier of the mobile device (abstract and paragraph [0012 and 0022]; the linkage code has similar functions as a card) ;

having the content engine signal a database management system for identification for the card to retrieve instructions for assembling the content available on the URL for the mobile device (paragraph [0024 and 0030]);

having the content engine access a network site located by the URL to retrieve specific network events which are identified from the instructions received from the database management system (paragraph [0024 and 0030]);

having the content engine convert the network event into a wireless format for the mobile device (paragraph [0010, 0028, and 0036]); and

transmitting the network event in a wireless protocol to the mobile device (paragraph [0028]).

6. As per claim 2, Hunter teaches a method wherein the content engine signals the database management system over a network (paragraph [0024])

7. As per claim 3, Hunter teaches a method wherein the selected instructions are based on the identification of the card provided to the database management system (paragraph [0030-0031]).

8. As per claim 4, Hunter teaches a method wherein the instructions are configured for the URL based on the card identification (paragraph [0010 and 0012]).

9. As per claim 5, Hunter teaches a method wherein the content engine reformats the

network event or content into a wireless format (paragraph [0010 and 0028]).

10. As per claim 6, Hunter teaches a method wherein the network event or content is formatted for a display of the mobile device(paragraph [0010]).
11. As per claim 7, it contains similar limitations as claim 1, therefore is rejected under the same rationale.
12. As per claim 8, Hunter teaches a method wherein the user-defined parameters are provided by a user of the mobile device (paragraph [0024]).
13. As per claim 9, Hunter teaches a method wherein the user-defined parameters affect how the content engine selects and accesses the network event for the mobile device (paragraph [0030]).
14. As per claim 10, Hunter teaches a method wherein the user-defined parameters affect how the content engine delivers the network event to the mobile device (paragraph [0010]).
15. As per claim 11, Hunter teaches a method wherein the user-defined parameters are stored in a user database and maintained in accounts (paragraph [0024]).

16. As per claim 12, Hunter teaches a method wherein the accounts are configurable to include preferred parameters (paragraph [0024]).

Response to Arguments

17. Applicant's arguments have been fully considered but they are not persuasive.

- In the remarks, the applicant argues in substance that:
 - A. The card disclosed by the present invention “corresponds to an IP network site, such as a website on the Internet”.
 - B. Hunter fails to teach or suggest content engine signaling a database management system to retrieve instructions for assembling content available on the URL.
- In response to:
 - A. Applicant is arguing the card in the present invention “corresponds to an IP network site, such as a website on the Internet”. This/These limitation(s) are not found in the claims. Claimed subject matter not the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding prior art. In re Spörck, 55 CCPA 743, 386 F .2d 924, 155 USPQ 687 (1986); In re Self, 213 USPQ 1, 5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978).
 - B. Examiner respectfully disagrees because Hunter does teach a content engine that signals a database management system to retrieve instructions for assembling content available on the URL. Users are registered into a registration server that maintains a

user database that contains various items such as preferred language. The proxy server is redirected to a resolution server, which finds the appropriate target URL based on information contained in the RID, IID and the user data in the database. This data is returned using the correct display language (**paragraphs [0037, 0024, and 0030]**).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ramsey Refai
Examiner
Art Unit 2154

RR
April 6, 2005


JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
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